11/827966

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ANTICIPATED CLASSIFICATION
OF THIS APPLICATION:
CLASS SUBCLASS

435

PRIOR APPLICATION: EXAMINER

AMINER Chereskin ART UNIT

Address to:

Commissioner of Patents and Trademarks
Box FWC

Washington, D.C. 20231

This is a Request for filing a ☐ continuation-in-part ☒ continuation ☐ divisional application under 37 CFR

1.62 of prior application Serial No. 07/390,561, filed on Aug 7, 1989 entitle ☐ Improved

Expression of Genes in Plants

by the following named inventor(s). FAMILY NAME AUL DO FULL NAME FIRST GIVEN NAME SECOND GIVEN NAME OF INVENTOR Barton Kenneth_ RESIDENCE & STATE OR FOREIGN COUNTR OUNTRY OF CITIZENSHIP CITIZENSHIP Middleton Wisconsin U.S.A. POST OFFICE ADDRESS POST OFFICE STATE & ZIP CODE/COUNTRY 4919 Hickory Trail WI 53562 USA **ADDRESS** Middleton FULL NAME OF INVENTOR AMILY NAME IRST GIVEN NAME SECOND GIVEN NAME 40200 Miller Michael z. STATE OR FOREIGN COUNTRY
Wisconsin CITY RESIDENCE & COUNTRY OF CITIZENSHIP Cross Plains CITIZENSHIP U.S.A. OST OFFICE ADDRESS POST OFFICE ADDRESS Cross Plains STATE & ZIP CODE/COUNTRY WI 53528 USA 1401 Main Street FULL NAME FAMILY NAME FIRST GIVEN NAME SECOND GIVEN NAME INVENTOR RESIDENCE & STATE OR FOREIGN COUNTRY COUNTRY OF CITIZENSHIP CITIZENSHIP POST OFFICE ADDRESS POST OFFICE CITY STATE & ZIP CODE/COUNTR' ADDRESS FULL NAME FAMILY NAME FIRST GIVEN NAME SECOND GIVEN NAME OF INVENTOR RESIDENCE & STATE OR FOREIGN COUNTRY COUNTRY OF CITIZENSHIP CITIZENSHIP POST OFFICE POST OFFICE ADDRESS CITY STATE & ZIP CODE/COUNTRY ADDRESS FULL NAME FAMILY NAME FIRST GIVEN NAME SECOND GIVEN NAME OF INVENTOR RESIDENCE & CITY STATE OR FOREIGN COUNTRY COUNTRY OF CITIZENSHIP CITIZENSHIP POST OFFICE POST OFFICE ADDRESS STATE & ZIP CODE/COUNTRY ADDRESS

The above identified prior application in which no payment in the issue fee, abandoment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned.)

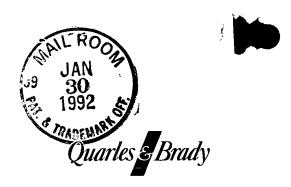
- □ Enter the amendment previously filed on ______ under 37 CFR 1.116 but unentered, in the prior application.
- 2. A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS	14 -20=		×\$ 20.00=	s
	INDEPENDENT CLAIMS	4 -3=	1	×\$ 60200 =	72.00
	MULTIPLE DEPE	NDENT CLAIM(s) (if app	licable)	+ \$200.00 =	
		+ 630.00690.00			
			Total of above	Calculations =	\$762.00
	Reduction by ½ for If applicable, verifie				
	1354 3754	43.84.93.45.4	12)	TOTAL =	\$762.00



	3. 돈	The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, or credit any overpayment to Deposit Account No. 17-0055
	4. □	A check in the amount of \$ is enclosed.
	5. 🗆	A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
	6. 🗷	Amend the specification by inserting before the first line the sentence:
C	/	This application is a □ continuation-in-part, ⊕ continuation, □ division, of application Serial No. 07/390,561 Aug 7, 1989
	7.	(a) A verified statement that this is a filing by a small entity is attached.
		(b) The small entity statement was filed in the parent application Serial No on and this status is still proper and its benefit under 37 CFR 1.28(a) is hereby claimed.
•	8. 🗆	Priority of application Serial No filed on in is claimed under 35 U.S.C. 119.
	9. ⊠	The prior application is assigned of record to Agracetus
	10. 🗷	The power of attorney in the prior application is to:the undersigned
	11. 🗆	Also enclosed
		Address all future communications to: (May only be completed by applicant, or attorney or agent of record)
•	601	Nicholas J. Seay
!	つりし	Quarles & Brady P.O. Box 2113
	704	Madison, WI 53701-2113
t a	to any applica	derstood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior tion in the same file wrapper, the Patent and Trademark Office may provide similar information or access to other applications in the same file wrapper.
	Jan	uary 30, 1992 // wiles
	Jan	Date Nicholas J. Seay Signature
(□ inve	ntor(s) Reg No. 27,386
[2	□ assią ≚ atto	gnee of complete interest rney or agent of record under §1.34(a)



First Wisconsin Plaza P.O. Box 2113 Madison, Wisconsin 53701-2113 608/251-5000 FAX 608/251-9166 Attorneys at Law in Milwaukee and Madison, Wisconsin West Palm Beach, Naples and Fort Lauderdale, Florida Phoenix, Arizona

January 30, 1992

Commissioner of Patents and Trademarks Washington, D.C. 20231

Continuation Filing/New Patent Application

Dear Sir:

continuation

Enclosed for filing please find a / NEW patent application entitled Improved Expression of Genes in Plants

by Kenneth A. Barton and Michael J. Miller

The undersigned hereby certifies that this document is being deposited with the United States Postal Service today, January 30, 1992, by the "Express Mail" service, utilizing Express Mail label number GB500083254US, addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Please indicate receipt of this application by returning the attached postcard with the official Patent and Trademark Office receipt and serial number stamped thereon.

Respectfully submitted,

Many M. Ferl

NJSmisc\8

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